PRICE TWO CENTS.

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RICHMOND, VA., FRIDAY, OCTOBER 21, 1898.

# SLOT MACHINE IS A LOTTERY.

Justice Crutchfield's Decision Upheld.

JUDGE WITT'S STAND.

He Instructs the Jury to Find Against the Machines.

AN APPEAL MAY BE TAKEN.

Yesterday's Proceedings in the Case of the Commonwealth Against F. Morrella, Which Was Made

a Test Case-Generous Action of Mr. D. C. Richardson.

and the defendant was balled for that length of time. This concludes the much talked of slot-



se instructions to the jury ruled out the slot machines.)

JUDGE WITT'S RULING.

When the case was taken up Judge Witt said that he had decided to overruse the motion of Mr. Metedith to quash the indictment against Morella, as as was of opinion that the proper course to pursue was to let the case go to the jury, and to raise the points of law involved in the instructions.

structions.
As will be remembered there was a long reument between opposite counsel on a motion to quash made some days are

islature, are Commonwealth's Attorney, on the principle of hand, claimed that the machine a lottery and that any act of Legistre Reensing it was vold, being in plet with a provision of the Constitu-

NO SPORTS WANTED.

NO SPORTS WANTED.

After the jury had been called, Judge Witt states the nature of the case, and asked whether any individual knew of any reason why he should not serve. Four of the members stated that they would rather not serve, and were told to stand aside. The remaining eight members were put through a clere catechism as to rough a close catechism as to by had farned or expressed on the subject or whether he intrest is slot machines, dethie, but two preferred not both whating that they had machine.

played the machine.

Counsel for Morein expressed the opinion that if having "played the machine" was any bar to serving on the jury, it was not likely that one could be obtained in Richmond, and said they would be satisfied for other the judge, clerk, sergeant, or Commonwealth's attorney to pick out twelve men, put them in the box, and get no questions.

Judge Witt would not agree to this, however, and the list of talismen having been exhausted the surgeant was sent out to get another batch.

TWELVE MEN SECURED.

TWELVE MEN SECURED.

The Sergeant returned sharily after 1 o'clock with a number of recruits, and after some little difficulty the jury was completed, its members being as follows; Messrs, L. A. Waddill, W. C. Wilkinson, A. T. Williams, M. A. Allen, Henry Austin, W. S. Gunn, Adolph Hartung, David Mitteldorfer, B. Lewis, E. H. Spence, B. A. Gayle, and Geo. B. Sydnor.

Commonwealth's Attorney Richardson explained the case to the jury, setting forth that it was appealed from the Po-

forth that it was appealed from the Po-lice Court, and was prosecuted under the statute prohibiting lotteries.

Mr. Smith, of counsel for Morrella, then addressed the jury explaining that the case was a test one and was not so much intended to punish the prisoner as to establish the legality of nickel-in-the-slot machine. He read the act passed by the last Logislature licensing certain by the last Legislature Beensing certain machines, and claimed that the machine in question came within its purview.

Mr. Richardson, in reply, stated that the case was not merely a test, but was designed to break up an evil, and punish

MR. HALL'S TESTIMONY. warrant on Morrella, testified to the facts in the case. He made the aron September 10th, and at that time were eight or ten men playing at time, must be then developed. While this is not quite probable, it is possible,

number of nickels put in, but very few

City Sergeant H. Claiborne Epps was

laying the machine."
What becomes of the nickel that does
t come out?" asked Judge Witt.
'It goes to the house," replied Mr.

Epps.
After Mr. Epps was asked a variety of questions, it was agreed for the machine to go in as evidence.
There was a long discussion on the subject of chances, and other things connected with the fascinating game un-

ITS INNER WORKINGS.

At the request of the jury, Superintendent W. H. Trompson then opened the machine, and gave a practical demonstration of its workings.

Many of the speciators gathered around to get a look into the place where so many of their nickels have gone during the past few months.

After explaining the machine Mr. Thompson was asked this direct question by Mr. Richardson:

"I should say it was chance," was the

At 3 o'clock the court took a recess until 4:30, and when it reconvened Mr. Richardson announced that the Common-wealth rested its case. SURE OF THEIR MONEY.

should find him guilty.
THE DEFENCE SURRENDERS. When these instructions had been read Mr. Meredith briefly addressed the jury Mr. Mercelit briefly address to force saying that under the ruilings of the Court they had no option but to find against the prisoner. He asked them, however, in view of the fact that it was

fine of \$5 and one day in fail.

Mr. Richardson made the same request, saying that he recognized the fact that it would be unjust to single out Morella from hundreds of others and

punish him severely.

The jury returned a verdict in accordance with the instructions without leaving their seats. Consel for Morella then made the usual motion to set aside the verdict, which Judge Witt overruled. Counsel for Morella excepted to the instructions to the jury, to the exclusion of the testimony of Mr. Eubank

(Continued on Second Page.)

# THE SITUATION A PITIABLE ONE.

Spain is Playing for Time and Will Accept Any Sympathy They May Be Able to Arouse.

PARIS, Oct. 29 .- The Spanish Peace Commissioners have not yet received from Madrid either instruction or permission to bid adieu to Cuban sovereignty without further seeking to attach to this sovereignty some condition providing for the assumption of the Cuban debt by the United States.
WILL NOT ANSWER YET.

WILL NOT ANSWER YET.

If they are as present disposed and instructed, the Spaniards will not, at tomorrow's meeting recognize affirmatively the United States position.

Should they flatly reject American insistance, the Spaniards while recognizing the physical power of the United States against unabled Spain, will dumble extend their plans upward and shrug their shoulders.

their shoulders.
WANT SYMPATHY. They regard the situation as pitiable and are not averse to any sympathy it may excite. They affirm that the American answer to their debt propositions is very long and that they have not yet had time to mediate fully upon it. They, thus far, apparently intend not to yield and will to-morrow make another written presentment and expect an extended of the session receive as to Cuba the

# THE SINKING OF CERVERA'S FLEET.

Board Published.

Spaniards Came Out.

## THE BROOKLYN WAS NEAR THEM THESE THE LINES INTERESTED.

The Chart Shows the Relative Positions of All the Vessels of Both Sides During the Engagement. The New York was Three Miles Off When the Fu-

ror Blew Up.

THREE MILES OFF

Position No. 3-10:15 A. M.-Maria Te-Texas and a little further inshare than the fowa. She was in advance of the Teresa, seing 1 3-10 miles from that versel 6-10 of a mile from and directly in the line of the Courants. The of a mile from the line of the Courants. 25-10 miles from the Texas and 25-10 miles from the Couendo, the near-est Spanish vessel. The Gloucester had moved up 6-10 of a mile and was just a mile directly south of Morro.

BROOKLYN ON HAND. Position No. 4-19:20 A. M.—Oquendo urned to run ashore. Only five minutes y change in their positions. The Colon of run 13-10 miles, the Vizcaya about tenth of a mile less and swerved to the a tenth of a mile less and swerved to the left, bringing her to within 11-16 miles of the Brooklyn. The lowa was the same distance but almost directly astern, and the Oregon was 13-10 miles from the Viscaya, but farther out to sea. The lowa was 8-10 of a mile from the Oquendo, the Oregon 2-10 of a mile from the same yessel and both somewhat in advance of the downed Sunnish ship. The Indiana had advanced 8-19 of a mile and was 2 6-10 miles away from the Oquendo, the nearest Spanish ship. The New York had advanced nearly a mile, but was not yet abreast of Morro. The Gloucester had run over 2 miles and was now well west of Morro but five miles cast of the Oquendo.

now well west of Morro but has mines east of the Oquendo.

STILL OUT OF REACH.

Position No. 5.—10.20—Furore blew up and Pluton turned to run ashore. This is ten minutes later than Position No. 4. The Gloucester had run a little more than two miles and was 1-10 of a mile from the Furore and but little further from the Futon. The New York had run 22-10 miles and was 3-10 miles from the Furore, the nearest Spanish ship, and 22-10 miles south and a little west of Morro. The Colon had run 29-10 miles and the Vizcaya 27-10 miles. The Brooklyn had run 23-10 miles and was 12-10 miles from the Vizcaya and 16-10 miles from the Vizcaya and 16-10 miles from the Shore. The Oreson had sailed 21-2 miles and was 11-2 miles from the Shore. The Oreson had sailed 21-2 miles and was 11-2 miles from the Vizcaya and about the same distance from the Colon. The Texas was 12-20 miles astern of the Oregon, 24-10 miles from the Oregon. The

Oregon, 2 4-10 miles from the Oregon. The (Continued on Seventh Page.)

# RICHMOND'S NEW RAILWAY LINE.

Report of the Wainwright | Those Behind Purchases | The Commission Goes to of Property.

lina and Seaboard Air Line.

The New Road will Enter Richmond Just Below Mayo's Bridge-The Chesapeake and Ohlo May be invited to Join in the Enterprise, and is Likely to Accept.

### SITUATION IN LUZON.

General Otis Says Affairs Are Progressing Favorably There.
WASHINGTON, Oct. 20.—The War Descriment to-day posted the following

Under date of yesterday General Otla

#### ROAD TO KING WILLIAM.

An Enthusiastic Meeting Held Yesterday at Aylett's.

largely-attended and enthusiastic meeting was held resterday at Aylett's, Va., in the interest of the Richmond and

Va., in the interest of the Richmond and Tidewater Railroad Conpany.

Mr. William George Pollard, presided over the meeting, and after an animated discussion, a general committee was appointed to supervise the work of getting out the whole vote of the county when a vote is taken on the question.

A district committee was also appointed for the same purpose. A number of

ed for the same purpose. A number of those present were analous to take stock. It is believed that the right of way will be given through the whole county, and that before long a fertile country will be in close touch with Richmond.

#### BUSIVESS MEN FOR PEACE.

Paris Council Urges the Government to Avert a Conflict with England.

to Avert a Conflict with England.
PARIS. Oct. 29.—The drift of opinion on the Fashoda question among commercial men in Paris was shown by a resolution adopted this evening by the municipal Council of this city, urging the French Government, without sacrificing the material interests of the country, to use its utmost efforts to avert a conflict with Great Britain over this dispute.

M. Deleases, Minister of Foreign Affairs, has ordered that the report of Major Marchand, as to use situation at Fashoda, which is expected at Callo tonight, be telegraphed textually.

Owing to its probable length, it is said that at least forty-eight hours will be required to reduce it to the French cyther code at Calro and to translate it in Paris. code at Cairo and to translate it in Paris

# WORK CONCLUDED AT JACKSONVILLE.

Atlanta To-Day.

## NEW YORK'S POSITION. IDENTITY NOW KNOWN WERE WELL PLEASED.

She Was Nine Miles Off When the The Richmond, Petersburg & Caro- Nothing Has Been Found to Show Wilful Mismanagement.

#### COLONEL BRYAN WAS EXCUSED.

He Asked that His Lieutenant-Colonel

Be Examined in His Stead-The Main Complaint Seems to Have Been as to Spoiled Fresh Meat-The Good Work of the Red Cross.

t any locality in the South selected camping purposes. That the site well drained the water for drinking cooking purposes good and the bath-facilities at the sea beach excel-

THE NURSES QUESTIONED. Hospital; Miss Robins, head nurse at the First Division Hospital; Miss Hub-bard, head nurse at the Second Division Hospital and Misses Walker and Waters,

Miss Copeland spoke in commendation of the conduct of the hospitals and she said that the nurses were well treated

said that the nurses were well treated and apparently much respected. She said that the nurses had their own tent quarters, where there was the privacy demanded by their sex.

Miss Copeland said that when the nurses first came to the camp there was only one nurse to each forty or sixty condition had been patients, but this condition had been steadily improved. There was also in the beginning some scarcity of appliances for the sick such as hot water bottle which, while not a necessity, were often a comfort. She spoke of some nurses who had made complaints, but they were of the kind of persons who are never satisfied with any situation. One nurse had made severe criticisms, but she was of the kind who would leave a patient of the kind who would leave a patient to whom she had just given a bath to attend to some other errand before dry-

MEDICAL SUPPLIES PLENTIFUL Major E. Pilcher, of the regular army, depot surgeon, for the Seventh Army Corps, said that since the early days of the camp there had been no difficulty in securing an abundance of medical sup-piles, and that they were much more plentiful and of greater variety than was usual in the regular army. In the first history of the camp, supplies were ordered from Tampa, and it was diffi-cult, sometimes impossible, to secure He thought the medical staff here was efficient as physicians, but they were without administrative ability. Many of them knew nothing of formulating rejuisitions, and were not disposed

PHYSICIANS TO BLAME. He thought that if the physicians had understood this line of their business they need not have called upon the re-

they need not have called upon the relief associations to such an extent.

Dr. Connor pressed Dr. Plicher closely
on this point, saying to him that the
country was full of the report that the
medical department of the Government
was not capable of meeting the demands
made upon it, and that but for aid of
such relief societies as the Red Cross,
there would have been actual suffering.
To this Dr. Plicher repiled that such
was not the case, and he maintained the
sufficiency of the Government to take
good care of its own sick. He said that
it would have been ungracious not to
accept the aid offered by the relief sowould have been ungracious not to cept the aid offered by the relief so-

FRESH MEAT AGAIN. Captain John W. Swatek, Company L. Second Illinois, complained that an two

# or three occasions the fresh meat furnished his men had been poor, but said that on all other occasions the food had been good and ample. General Dodge told the captain that there had been complaint from almost every man in the company in resard to their breakfasts and supper. Captain Swatek replied that he had eaten the same food given the men and that it was satisfetory to him. He said, however, that he did not ordinarily inspect the meat for the men. Sergeant A. F. Lorenzon, of the same company, admitted that there was some complaint among the men, but he thought the complaints were due to the fact that the men were homesick. COLONEL TAYLOR TESTIFIES. COL Taylor, of the Fourth Virginia Regiment, was the drst winess before the War Investigating Commission at the

Var Investigating Commission at the fternoon session to-day. He said he ad no complaint whatever to make con the govern had no complaint whatever to make con-cerning any department of the govern-ment and that he knew of no case of wilful neglect. He spoke of some print-ed criticism of the regiment made by a man named Nedlinger, as flagrant mis-representations, saying there was no foundation for them and that the author of the charges we increase.

newspaper reports of bardships were du-

were exaggerated

MORE VEGETABLES.

Lieutenant Morrow, acting commissary
of the Third Nebraska, Colonel Bryan's

more canned vegetables for warm cli-BRYAN EXCUSED.

Colonel W. J. Bryan was next called.

He asked to be excused from testifying, requesting that his lieutenant-colonel be examined in his stead.

"You will, I have no doubt, understand my reason for this request," he said.
"I think the request very proper and reasonable," responded Governor Beaver, and as the entire commission assented to this concession. Calcad. Beauty

excused, with the request to send up his lieutenant-colonel. GENERALLY TRIVIAL. Colonel W. T. Durbin, of the One Hun-dred and Sixty-first Indiana, said there were few complaints from his men and that they were generally trivial. He spoke capacially of the grounds of the Third Division Heapital, saying that they

Alexander Kent, pastor of the Peo-Church at Washington and field at Jacksonville for the Red Cross lows: that time a shortage of hospital tents and of food suitable to typhoid fover pa ients. He had undertaken to supply he deficiency and had distributed two arloads of the necessary delicacies. "It comed." he said, "as if the hospital was arranged upon a smaller scale than was demanded and as a consequence there was a constant demand upon the Red

plaints concerning misconduct at the hospitals and many of them were apparently well vouched for but they had not generally proved well founded when investigated. Replying to a question he said he thought it had been very difficult to get medical man of symbols. said he thought if had been very difficult to get medical men of sufficient adminis-trative ability to manage such fastitu-tions as the Division Hospital. MALE NURSES INCAPABLE.

Refore the female norses were secured the nurses who were men of the hospital corps, were not capable. They were not them were dogsedly faithful they falled to meet the requirements. They did not for instance, seem to regard it as of consequence if fles were crawling in and out of a sick man's mouth with impunity and he had seen as many as six cases of

(Continued on Seventh Page.)

# THE PRESIDENT LEAVES FOR HOME

He Started for Wasington Last Night. He Addresses a Meeting of Railroad Men.

CHICAGO, Oct. 20 .- President McKinley and the members of his party left for Washington to-night over the Pennsylvania railway. The crowd that has fol-iowed him every time he has appeared in public was with him to the last and it required the efforts of 150 policemen to restrain the throng which packed the de-pot to sufficiation.

Just as the train pulled out, the Presi-

Just as the train pulled out, the President appeared on the rear plaform of the last car and bowed repeatedly as the crowd cheered him.

The President spent much of the day in rest and receiving friends of the family. There were more than the usual number of callers. Mrs. McKinley has patronized the bazaar given by the women of St. Angles Catholle church, by sending, through Miss Mitchell, a young woman of the parish, a donation. The indies of the bazaar, wishing to show their appreciation of the act, sent a delegation to Mrs. McKinley presenting her with a beautiful Sevres vase.

with a beautiful Sevres vase.
SPEAKS TO RAILROAD MEN. After luncheon President McKinley pro-ueded to the First Regiment Armory, where he was received by a large gathering of rallway men. After the reception the President addressed the rallway men.

(Continued on Severth Page.)

# TWO BISHOPS FROM VIRGINIA.

Of Four Elected This State Gets Half.

#### LETTER TO THE CZAR.

The Convention Hails With Joy His Great Peace Manifesto.

## THANKS FOR GREAT BRITAIN.

A Resolution of Gratitude for Her Sympathy During the War With Spain - The Convention Has Fixed Next Thursday as the Day for Their Final Adjournment.

of the Third Nebraska, Colonel Bryan's regiment, testified to the generally good character of the commissary supplies. He mentioned one or two instances when poor bacon had been received and said there were occasional complaints from the men though not of serious character. He thought the troops ought to have more canned vertables for warm cil. To His Majesty, the Czar of Russia:

The General Convention of the Protestant Episcopal Church, composed of Bishops, clergymen and laymen, hails with joy the great peace manifesto which Your Majesty has issued. We earnestly hope that the conference may result in a reduction of the excessive armaments which are a crushing burden on the peoples, and in the establishment of some method and in the establishment of some method of judicial arbitration for the settlement of international difficulties by which may be preserved the principles of equity and right whereon rests the security of the States and the welfare of peoples. Your Majesty's appeal to international discussion will stimulate the conscience of civilized nations and the inauguration of this noble movement which may well be considered a happy presage for the century which is about to open and mark an epoch in the progress of the world. We earnestly invoke upon it the blessing of Almishty God and pray that it may help greatly to hasten the coming kingdom of the Prince of Peace on earth."

The letter was agreed to 2.0 to 41.

GREAT BRITAIN THANKED.

A resolution expressing thanks to Great Britain for the sympathy shown toward the United States during the recent war with Spain aroused a spirited debate, but was finally adopted.

On the invitation of the presiding officer the Dean of Hereford addressed the convention and expressed his hearty thanks, as an Englishman and for his country for the cordial resolution just adopted. He rejoiced at the friendly feeling between the two great nations.

TO ADJOURN TUESDAY.

By unanimous vote the House adopted a resolution fixing Tuesday next as the day of final adjournment, the final exercises to occurr at 8 P. M.

The House of Bishops took up to-day the action of selecting four missionary bishops. The billoting resulted as follows:

For Boise, Idaho, Rev. James Bowen of judicial arbitration for the settlement

bishops. The believers of the control of the contro

ever, is considered a formality.

WOEK SURVEYED.

The report of the House of Deputies of the Committee on the State of the Church presented a comprehensive survey of the work of the last three years. While showing progress and healthy activity in the main, the report frankly pointed out retrogression in some respects and a fall-ing off in the percentage of contributions for certain objects. The total contributions for the last three years, for all purposes, reached \$1.541.18. There has been an increase of bishops from seventy to eighty-three. The number of baptisms has been 192.725; confirmations, 134,741; communicants, 681.645. The present church shitings are 1.085.901.

HOUSE OF BISHOPS.

At the afternoon session the bishops

At the afternoon session the bishops concurred in the resolution for sinal adjournment on October 25th. They concurred also to the letter to the Czar of Russia relative to his peace conference and in the resolution expressing appreciation for the sympathetic course of Great Britain in the recent war.

The bishops received pominations for

The bishops received nominations for the vacant missionary bishopric of Ashe-ville, N. C., but no selection was made. The House of Deputies spent the afternoon on the proposed general revision of the canons, but made no progress.

#### Not in Tobacco Trust.

Not in Tobacco Trust.

ST. LOUIS, MO., Oct. 19.—Colonel M. C.
Wetmore, of the Liggett & Meyers Tobacco Company, says there is absolutely
no truth in the statements that his company has gone into the trust, or that
here is any prospect of its securing contrul of the factories.

"Our company has held aloof from all
trusts and combines in the past," he said,
"and has attended strictly to its own
business, which it will continue to do in

business, which it will continue to do in the future."
Colonel Wetmore said there was no

prospect whatever of his company joining the trust. The Ligget & Meyers factories are the only large tobacco concerns in the country not members of the big

#### Spaniard's Leave Havana.

HAVANA. October 29.-The following steamers sailed for Spain to-day: The Jover Sorra, with 10 officers and 50 sol-diers; the Coion, with 182 officers, 1.671 soldiers, and 157 boxes of archives and the Puerto Rico, with 7 officers and 228

soldiers.

The Puerto Rico will touch at Cienfugoes, where she will embark more troops.

#### Built His Own Gallows.

ATLANTA, GA., Oct. 29.—Robert Lewis, who killed J. F. Haynes, foreman of a gang of men constructing a building here was to-day sentenced to hang November

Lewis, being a workmen at the new jall several months ago, helped to build the gallows on which he will be put to death. Dreyfus in Paris.

PARIS, Oct. 20.—An evening newspaper announces that Captain Dreyfus is al-ready in Paris, and is now confined in the fortress at Mont Valerin, to which he was sacratly brought.